

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Ebony N. Smith
aka Ebony N. Greene
Debtor(s)

Bankruptcy Case No.: 20-21383-GLT
Issued Per Nov. 5, 2020 Proceeding
Chapter: 13
Docket No.: 54 – 5, 33
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated April 22, 2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$1,941 as of November 2020. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: American First Finance (Claim No. 13); Quantum3 Group, LLC (Claim No. 15); PennyMac Loan Services (Claim No. 19) .
- ☒ H. Additional Terms: The secured claim of Capital One Auto Finance (Claim No. 5) shall govern as to claim amount, to be paid at the modified plan interest in a monthly amount to be determined by Trustee to pay in full.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: November 10, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:
Ebony N. Smith
Debtor(s)

Case No. 20-21383-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Nov 10, 2020

User: jhel
Form ID: 149

Page 1 of 3
Total Noticed: 54

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 12, 2020:

Recip ID	Recipient Name and Address
db	+ Ebony N. Smith, 3010 Ford Avenue, Pittsburgh, PA 15235-3623
sp	+ Jonathan Stewart, SMA Law Group, 437 Grant Street, No. 600, Pittsburgh, PA 15219-6010
15235846	+ Aes/PNC Bank, Pob 61047, Harrisburg, PA 17106-1047
15235843	+ Aes/Pheaa, Pob 61047, Harrisburg, PA 17106-1047
15235845	+ Aes/pheaaelt, Attn: Bankruptcy, Po Box 2461, Harrisburg, PA 17105-2461
15235852	+ Aes/pnc Bank, Attn: Bankruptcy, Po Box 2461, Harrisburg, PA 17105-2461
15253305	American First Finance, c/o Becket and Lee LLP, PO Box 3002, Malvern PA 19355-0702
15235859	+ American First Finance, Attn: Bankruptcy, Po Box 565848, Dallas, TX 75356-5848
15235864	+ Collection Service Center, Inc., Pob 560, New Kensington, PA 15068-0560
15308365	ECMC, PO BOX 16408, ST. PAUL, MN 55116-0408
15235876	+ PA Toll Commission, 300 East Park Drive, Harrisburg, PA 17111-2729
15240624	+ PHEAA, PO Box 8147, Harrisburg, PA 17105-8147
15235877	+ PennyMac Loan Services, LLC, Po Box 514387, Los Angeles, CA 90051-4387
15235878	+ PennyMac Loan Services, LLC, Attn: Correspondence Unit, Po Box 514387, Los Angeles, CA 90051-4387
15259990	+ PennyMac Loan Services, LLC, P.O. Box 2410, Moorpark, CA 93020-2410
15235879	+ Peoples Natural Gas Company, 375 North Shore, Bankruptcy Division, Pittsburgh, PA 15212-5871
15235881	+ UPMC, PO Box 371472, Pittsburgh, PA 15250-7472
15235864	UPMC Health Services, PO Box 1123, Minneapolis, MN 55440-1123
15256379	UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123
15235882	+ US Department of Education/Great Lakes, 2401 International Lane, Madison, WI 53704-3121
15235883	+ USDOE/GLELSI, 2401 International Lane, Madison, WI 53704-3121
15235884	+ USDOE/GLELSI, Attn: Bankruptcy, Po Box 7860, Madison, WI 53707-7860
15249377	+ USX Federal Credit Union, 1293 Freedom Road, Cranberry Twp, PA 16066-4955
15235888	+ USX Federal Credit Union, c/o Customer Service, P.O. Box 30495, Tampa, FL 33630-3495
15235885	USX Federal Credit Union, P.O. Box 183258, Columbus, OH 43218-3258
15235886	+ USX Federal Credit Union, PO Box 1728, Cranberry Twp, PA 16066-0728
15235889	+ USX Federal Credit Union, P.O. Box 657, New Stanton, PA 15672-0657
15235887	+ USX Federal Credit Union, 600 Grant Street, Suite 670, Pittsburgh, PA 15219-2702
15235890	+ Wilkinsburg Penn Joint Water Authority, 2200 Robinson Boulevard, Pittsburgh, PA 15221-1193

TOTAL: 29

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: acg.acg.ebn@americaninfosource.com	Nov 11 2020 04:00:52	Capital One Auto Finance, a division of Capital On, 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
15235858	+ Email/Text: agency@americanfirstfinance.com	Nov 11 2020 03:53:00	American First Finance, 7330 W. 33rd Street, Wichita, KS 67205-9370
15235861	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Nov 11 2020 04:03:32	Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15235860	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Nov 11 2020 04:03:32	Capital One, Po Box 30281, Salt Lake City, UT 84130-0281
15235863	+ Email/PDF: AIS.COAF.EBN@Americaninfosource.com	Nov 11 2020 04:00:54	Capital One Auto Finance, Attn: Bankruptcy, Po

District/off: 0315-2

User: jhel

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Total Noticed: 54

			Box 30285, Salt Lake City, UT 84130-0285
15235862	Email/PDF: AIS.COAF.EBN@Americaninfosource.com	Nov 11 2020 04:00:54	Capital One Auto Finance, Credit Bureau Dispute, Plano, TX 75025
15243302	+ Email/PDF: acg.acg.ebn@americaninfosource.com	Nov 11 2020 04:02:15	Capital One Auto Finance, a division of Capital On, P.O. Box 4360, Houston, TX 77210-4360
15251588	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Nov 11 2020 04:03:33	Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083
15235865	+ Email/Text: bankruptcy@firstenergycorp.com	Nov 11 2020 03:53:00	Collection Service Center, Inc., Attn: Bankruptcy, 839 5th Ave., New Kensington, PA 15068-6303
15235866	+ Email/Text: ebnotifications@creditacceptance.com	Nov 11 2020 03:52:00	Credit Acceptance, 25505 West 12 Mile Road, Suite 3000, Southfield, MI 48034-8331
15235867	+ Email/Text: ebnotifications@creditacceptance.com	Nov 11 2020 03:52:00	Credit Acceptance LLC, Po Box 5070, Southfield, MI 48086-5070
15235869	+ Email/Text: bdsupport@creditmanagementcompany.com	Nov 11 2020 03:53:00	Credit Management Company, Attn: Bankruptcy, 2121 Noblestown Road, Pittsburgh, PA 15205-3956
15235868	+ Email/Text: bdsupport@creditmanagementcompany.com	Nov 11 2020 03:53:00	Credit Management Company, 2121 Noblestown Rd, Pittsburgh, PA 15205-3956
15235870	+ Email/Text: kbarkley@bernsteinlaw.com	Nov 11 2020 03:53:00	Duquense Light, 411 Seventh Avenue, Pittsburgh, PA 15219-1942
15261857	+ Email/Text: kbarkley@bernsteinlaw.com	Nov 11 2020 03:53:00	Duquesne Light Company, c/o Bernstein-Barkley, P.C., 707 Grant St., Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
15235871	+ Email/Text: essmc@essmc.com	Nov 11 2020 03:53:00	East Suburban Sports Medicine Center, 4115 William Penn Highway, Murrysville PA 15668-1887
15235873	+ Email/Text: dleabankruptcy@hrblock.com	Nov 11 2020 03:52:00	H&R Block Fee Center, P.O. Box 2716, Omaha, NE 68103-2716
15240436	Email/Text: JCAP_BNC_Notices@jcap.com	Nov 11 2020 03:53:00	Jefferson Capital Systems LLC, Po Box 7999, Saint Cloud Mn 56302-9617
15257494	Email/PDF: resurgentbknofications@resurgent.com	Nov 11 2020 04:00:54	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15235875	+ Email/PDF: cbp@onemainfinancial.com	Nov 11 2020 04:02:11	OneMain Financial, Attn: Bankruptcy, Po Box 3251, Evansville, IN 47731-3251
15235874	+ Email/PDF: cbp@onemainfinancial.com	Nov 11 2020 04:03:30	OneMain Financial, Po Box 1010, Evansville, IN 47706-1010
15255739	Email/Text: bnc-quantum@quantum3group.com	Nov 11 2020 03:52:00	Quantum3 Group LLC as agent for, Cognical Holdings Inc., PO Box 788, Kirkland, WA 98083-0788
15262005	+ Email/Text: bncmail@w-legal.com	Nov 11 2020 03:53:00	SCOLOPAX, LLC, C/O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132
15235880	+ Email/Text: BankruptcyNotice@upmc.edu	Nov 11 2020 03:53:00	UPMC, 2 Hot Metal Street, Room 386, Pittsburgh, PA 15203-2348
15259574	Email/PDF: EBN_AIS@AMERICANINFOSOURCE.COM	Nov 11 2020 04:03:43	Verizon, by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457

TOTAL: 25

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

District/off: 0315-2

User: jhel

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Date Rcvd: Nov 10, 2020

Form ID: 149

Total Noticed: 54

Recip ID	Bypass Reason	Name and Address
cr		PENNYMAC LOAN SERVICES, LLC
15235872		H& R Block Emerald Advance
15238464		OneMainFinancial, PO Box 3251, Evansville, IN 47731
cr	*+	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
cr	*	ECMC, P.O. BOX 16408, ST. PAUL, MN 55116-0408
15235847	*+	Aes/PNC Bank, Pob 61047, Harrisburg, PA 17106-1047
15235844	*+	Aes/Pheaa, Pob 61047, Harrisburg, PA 17106-1047
15235848	*+	Aes/pnc Bank, Pob 61047, Harrisburg, PA 17106-1047
15235849	*+	Aes/pnc Bank, Pob 61047, Harrisburg, PA 17106-1047
15235850	*+	Aes/pnc Bank, Pob 61047, Harrisburg, PA 17106-1047
15235851	*+	Aes/pnc Bank, Pob 61047, Harrisburg, PA 17106-1047
15235853	*+	Aes/pnc Bank, Attn: Bankruptcy, Po Box 2461, Harrisburg, PA 17105-2461
15235854	*+	Aes/pnc Bank, Attn: Bankruptcy, Po Box 2461, Harrisburg, PA 17105-2461
15235855	*+	Aes/pnc Bank, Attn: Bankruptcy, Po Box 2461, Harrisburg, PA 17105-2461
15235856	*+	Aes/pnc Bank, Attn: Bankruptcy, Po Box 2461, Harrisburg, PA 17105-2461
15235857	*+	Aes/pnc Bank, Attn: Bankruptcy, Po Box 2461, Harrisburg, PA 17105-2461
15308367	*	ECMC, PO BOX 16408, ST. PAUL, MN 55116-0408
15308369	*	ECMC, PO BOX 16408, ST. PAUL, MN 55116-0408
15308370	*	ECMC, PO BOX 16408, ST. PAUL, MN 55116-0408

TOTAL: 3 Undeliverable, 16 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 12, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 10, 2020 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor PENNYMAC LOAN SERVICES LLC bnicholas@kmlawgroup.com
Kenneth Steidl	on behalf of Debtor Ebony N. Smith julie.steidl@steidl-steinberg.com ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;todd@steidl-steinberg.com;cgoga@steidl-steinberg.com;rlager@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com
Keri P. Ebeck	on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com

TOTAL: 5